IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL, CIVIL JURISDICTION

WRIT **PETITION NO.872 OF 2006**

Dividas Gundoji Basutkar ..Petitioner

Vs.

The State of Maharashtra & Ors...Respondents

Mr. Kokitkar, for the petitioner

Mr. Pradeep Jadhav, AGP for Respondents 1 and 2.

Mr. G.D. Utangale, for respondent No.3

Mr. U. Upadhyay, for respondent No.4

Mr. S.G. Surana, for respodnent No.5.

CORAM: **F.I. REBELLO &**

MRS.V.K.TAHILRAMANI, JJ.

DATE: 10th July,2006

P.C.

. The premises on the first floor was allotted to the petitioner in the year 2003 pursuant to the lucky draw. The petitioner accepted the same. At that time he did not challenge the allotment on the first floor. The building is already complete and persons have been inducted. Apart from that according to the society the petitioner has sublet the premises. We do not propose to go into that aspect of the matter.

2. Suffice it to say that once the petitioner

accepted the premises on the first floor pursuant to the lucky draw and considering the fact that in the reconstruction building there are only five commercial rehabilitation premises, we are not inclined to interfere in the exercise of extra ordinary jurisdiction. Petition rejected.

(**F.I. REBELLO, J)**

(**MRS.V.K.TAHILRAMANI, J).**